

Public Chapter 222

SENATE BILL NO. 1661

**By Fowler, Elsea, McNally, Atchley, Person, Gilbert, Jordan, Koella, Haun, Carter,
Ramsey, Leatherwood, Miller, Williams**

Substituted for: House Bill No. 1265

By Westmoreland, Davis, Haley, Hargett, Pleasant, McDaniel, Stamps, Walley, Ford,
Wood, Patton, Kerr, Beavers, Kent, Bird, Clabough, McKee, Newton, Scroggs, Godsey,
Halteman Harwell, Goins, Walker, McAfee, Mumpower, Roach, Boyer, Bittle

AN ACT Relative to the special alternative incarceration unit program and to amend
Tennessee Code Annotated, Title 40, Chapter 20.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 20, is amended by
adding a new part thereto consisting of Sections 2 through 4, inclusive, of this act.

SECTION 2. Notwithstanding any other provision of law to the contrary, in the
event that an offender receives a suspension of sentence, has that suspension of
sentence revoked for reasons other than the commission of a new felony offense, and is
committed to the department of correction, the department shall have the authority to
place the offender in a special technical violator unit in lieu of confinement in a regular
state penal facility unless the court specifies otherwise in the order of revocation. If the
court specifically prohibits the placement of an offender in a special technical violator unit,
the court shall make findings of fact and state the reasons for its decision in the order of
revocation. In such unit the offender shall, at a minimum, be required to participate for a
period of one hundred twenty (120) days in an intensive regimen of work and available
treatment programs in accordance with policies and procedures established by the
department.

SECTION 3. No offender shall be placed in a special alternative incarceration
unit unless and until the offender has been classified by the department as a suitable
candidate for such a program in accordance with departmental policies and guidelines.

SECTION 4. Notwithstanding any other provision of the law to the contrary, upon
successful completion of a technical violator program, an offender shall be released to
the supervision of the division of community services for the department of correction
under the terms and conditions imposed by the trial court. Should an offender fail to
comply with the terms and conditions of supervision imposed by the department after
successful completion of the program, the release on supervision may be revoked by the
trial judge pursuant to § 40-35-311.

SECTION 5. This act shall take effect upon becoming a law, the public welfare
requiring it.

